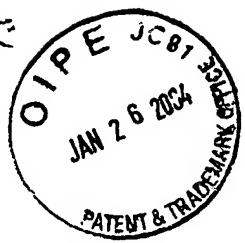


#1651

Image



Docket No.: 220303US0X PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/088,072
Applicants: Denis-Claude ROY, et al.
Filing Date: July 3, 2002
For: RHODAMINE DERIVATIVES FOR
PHOTODYNAMIC DIAGNOSIS AND TREATMENT
Group Art Unit: 1651
Examiner: AFREMOVA, V.

SIR:

Attached hereto for filing are the following papers:
Petition to Correct Inventorship Under 37 C.F.R. 1.48(a) (2pp., executed); Certification Under 37 C.F.R. 3.73 (b) (2pp., executed); Supplemental Application Data Sheet; Substitute Declaration, Power of Attorney and Petition (3pp., executed); Form PTO-1595; Assignment of Application (2pp., executed)

Our check in the amount of \$170.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Registration No. 24,618

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(703) 413-3000 (phone)
(703) 413-2220 (fax)

Daniel R. Evans, Ph.D.
Registration No. 55,868



DOCKET NO. 220303US0XPCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

DENIS CLAUDE ROY et al.

: GROUP ART UNIT: 1614

SERIAL NO: 10/088,072

FILED: July 3, 2002

: EXAMINER: Unassigned

FOR: RHODAMINE DERIVATIVES FOR
PHOTODYNAMIC DIAGNOSIS
AND TREATMENT

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

1. Now comes Messrs. Roy, Guimond, and Molfino who depose and state that Mr. Villeneuve has been erroneously excluded as co-inventor of the above-identified application. The correct inventors are Messrs. Roy, Guimond, Molfino and Villeneuve.
2. The omission of Mr. Villeneuve occurred without deceptive intent.
3. The undersigned petitions declare further that all statements made herein of their own knowledge are true and that all statements made on information or belief are believed to be true and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

01/29/2004 WABDELRI 00000065 10088072

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130.00 0P

Date: 2003/4/18

Denis-Claude ROY
Denis-Claude ROY

Date: 2003/5/01

Martin GUIMOND
Martin GUIMOND

Date: MAY 17 / 2003

Nestor A. MOLFINO
Nestor A. MOLFINO

Date: 2003/05/10

Luc VILLENEUVE
Luc VILLENEUVE

The assignees of total interest in this case hereby confirm the above.

For UNIVERSITE DE MONTREAL:

Marielle Gascon-Barré

Signature

Marielle Gascon-Barré

Vice-rectrice adjointe à la recherche

Typewritten Name

Title

Date 2003/05/29

Date

For HOPITAL MAISONNEUVE-ROSEMENT:

Carole Deschambault
Signature

Carole Deschambault

Directrice générale - Hôpital Maisonneuve-Rosemont

2003-05-28

Title

Date

CERTIFICATION UNDER 37 C.F.R. § 3.73(b)

We, the undersigned, certify that we are individuals empowered to act on behalf of petitioner, UNIVERSITE DE MONTREAL and HOPITAL MAISONNEUVE-ROSEMONT, the assignees of the entire right, title and interest of the above-captioned application by virtue of the attached assignment from the inventors of said application.

We, the undersigned, further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

For UNIVERSITE DE MONTREAL:

Marielle Gascon Barré

Signature

Marielle Gascon-Barré
Vice-rectrice adjointe à la recherche

Typewritten Name

Titl

Date

2003/05/29

For HOPITAL MAISONNEUVE-ROSEMENT:

Signature

Carole Deschambault

Carole Deschambault
Directrice générale - Hôpital Maisonneuve-Rosemont

Title

2003-05-28

Date



Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

RHODAMINE DERIVATIVES FOR PHOTODYNAMIC DIAGNOSIS AND TREATMENT

the specification of which

☐ is attached hereto.

☒ was filed on July 3, 2002 as

Application Serial No. 10/088,072

and amended on _____

☒ was filed as PCT international application

Number PCT/CA00/01142

on October 3, 2000

and was amended under PCT Article 19

on December 20, 2001 (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/157,790
(Application Number)

10/5/1999
(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.

Filing Date

Status (pending, patented,
abandoned)

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

And we (I) hereby appoint the following registered practitioner(s):


22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to


22850

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Denis-Claude ROY

NAME OF FIRST OR SOLE INVENTOR

Denis Claude Roy
Signature of Inventor

2003/4/18
Date

Martin GUIMOND

NAME OF SECOND JOINT INVENTOR

Martin Guimond
Signature of Inventor

2003/5/01
Date

Nestor A. MOLFINO

NAME OF THIRD JOINT INVENTOR

Nestor A. Molfino
Signature of Inventor

MAY 17/2003

Luc VILLENEUVE

NAME OF FOURTH JOINT INVENTOR

Luc Villeneuve
Signature of Inventor

2003/05/10

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Citizen of: CANADA

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Citizen of: CANADA

Mailing Address: _____